



Date April 22, 2019

ABATEMENT OF PUBLIC NUISANCE AT 3217 3rd STREET

WHEREAS, the property located at 3217 3rd Street, Des Moines, Iowa, was inspected by representatives of the City of Des Moines who determined that the garage structure in its present condition constitutes not only a menace to health and safety but is also a public nuisance; and

WHEREAS, the Titleholders, Known & Unknown Heirs of Robert L. Smith, and Mortgage Holder, Wells Fargo Bank, NA, were notified more than thirty days ago to repair or demolish the garage structure and as of this date have failed to abate the nuisance.

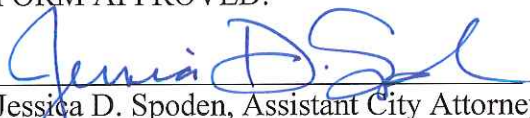
NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DES MOINES, IOWA:

The garage structure on the real estate legally described as the South 40 feet of Lot 329 and all of Lot 330 in MANN'S SECOND ADDITION TO LAKE PARK, an Official Plat, now included in and forming a part of the City of Des Moines, Polk County, Iowa, and locally known as 3217 3rd Street, has previously been declared a public nuisance;

The City Legal Department is hereby authorized to file an action in district court to obtain a decree ordering the abatement of the public nuisance, and should the owner(s) fail to abate the nuisance, as ordered, that the matter may be referred to the Department of Engineering which will take all necessary action to demolish and remove said garage structure.

Moved by _____ to adopt.

FORM APPROVED:


Jessica D. Spoden, Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE				
BOESEN				
COLEMAN				
GATTO				
GRAY				
MANDELBAUM				
WESTERGAARD				
TOTAL				
MOTION CARRIED		APPROVED		

CERTIFICATE

I, DIANE RAUH, City Clerk of said City hereby certify that at a meeting of the City Council of said City of Des Moines, held on the above date, among other proceedings the above was adopted.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

Mayor

City Clerk

Polk County Assessor

[\[Home \]](#) [\[General Query. \]](#) [\[Legal Query. \]](#) [\[HomeOwner Query. \]](#) [\[Book/Page Query. \]](#) [\[Commercial Query. \]](#) [\[Res Sales Query. \]](#) [\[Comm Sales Query. \]](#) [\[Help \]](#)

<u>District/Parcel</u>	<u>GeoParcel</u>	<u>Map</u>	<u>Nbhd</u>	<u>Jurisdiction</u>	<u>Status</u>
070/02956-000-000	7924-27-281-010	0224	DM82/Z	DES MOINES	<u>ACTIVE</u>
School District	Tax Increment Finance District	Bond/Fire/Sewer/Cemetery			
1/Des Moines					
<u>Street Address</u>			<u>City State Zipcode</u>		
3217 3RD ST			DES MOINES IA 50313-4309		

Click on parcel to get new listing

3300	3300	3300	3300	3300
3303	3302	3303	3300	3307
3227	3228	3225	3224	3301
3221	3222	3223	3220	3223
3219	3220	3219	3218	3221
3215	3216	3217	3214	3215
3211	3206	3209	3210	3211
3207	3202	3205	3208	3205
3203	3200	3201	3204	3201
3131	3130	3131	3130	3123
3127	3122	3127	3128	3117
3125			3125	
			3122	

Get
Bigger
Map
Google Map



Approximate date of photo 08/22/2016

Mailing Address
ROBERT L SMITH 3217 3RD ST DES MOINES, IA 50313-4309

<u>Legal Description</u>	
S 40 F LOT 329 & ALL LOT 330 MANNS 2ND ADD TO LAKE PARK	

<u>Ownership</u>	Name	Recorded	Book/Page	RevStamps
Title Holder #1	SMITH, ROBERT L	1999-04-06	<u>8181/229</u>	76.00

<u>Assessment</u>	<u>Class</u>	<u>Kind</u>	<u>Land</u>	<u>Bldg</u>	<u>AgBd</u>	<u>Total</u>
Assmt Roll	Residential	Full	23,100	76,700	0	99,800
Current	Residential	Full	21,000	70,800	0	91,800

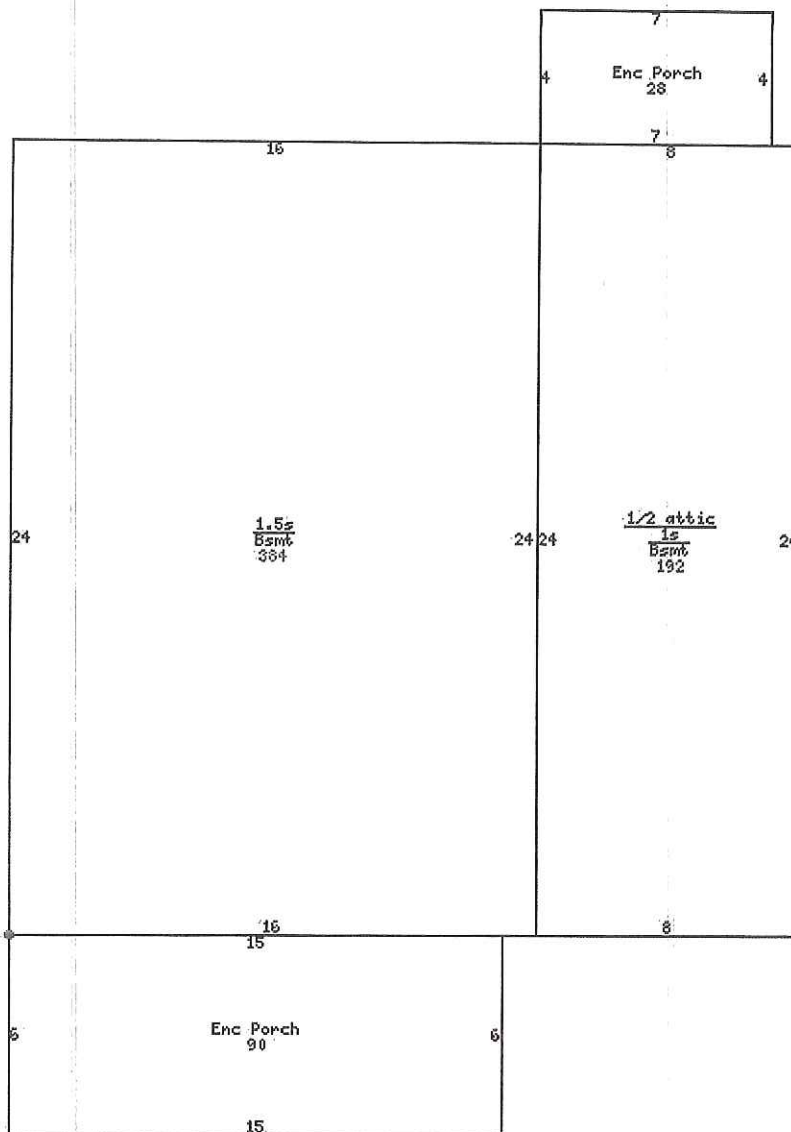
Assessment Roll Notice

Taxable Value Credit	Name	Number	Info
<u>Homestead</u>	<u>SMITH, ROBERT L</u>	50806	

Zoning	Description	SF	Assessor Zoning
R1-60	One Family, Low Density Residential District		Residential
*Condition	Docket_no 14361		
Source: City of Des Moines Community Development Published: 2012-03-20 Contact: Planning and Urban Design 515 283-4182			

Land					
SQUARE FEET	11,700	FRONTAGE	90.0	DEPTH	130.0
ACRES	0.269	SHAPE	RC/Rectangle	TOPOGRAPHY	N/Normal

Residence # 1					
OCCUPANCY	SF/Single Family	RESID TYPE	SH/1.5 Stories	BLDG STYLE	CV/Conventional
YEAR BUILT	1896	# FAMILIES	1	GRADE	5
GRADE ADJUST	+05	CONDITION	AN/Above Normal	TSFLA	900
MAIN LV AREA	576	UPPR LV AREA	257	ATTIC FINISH	67
BSMT AREA	576	ENCL PORCH	118	FOUNDATION	C/Concrete Block
EXT WALL TYP	MT/Metal Siding	ROOF TYPE	GB/Gable	ROOF MATERL	A/Asphalt Shingle
HEATING	A/Gas Forced Air	AIR COND	100	BATHROOMS	1
BEDROOMS	2	ROOMS	5		

**Detached # 101**

OCCUPANCY	GAR/Garage	CONSTR TYPE	FR/Frame	MEASCODE	D/Dimensions
MEASURE1	26	MEASURE2	22	STORY HEIGHT	1
GRADE	4	YEAR BUILT	1937	CONDITION	AN/Above Normal

Seller	Buyer	Sale Date	Sale Price	Instrument	Book/Page
EBERHART, JACK H	SMITH, ROBERT L.	1999-04-03	48,000	D/Deed	8181/229
GLENN, DOUGLAS J	EBERHART, JACK H	1997-09-06	6,200	D/Deed	7750/646
GRACE, JAMES W.	GLENN, DOUG	1987-06-22	37,000	D/Deed	5742/95

Year	Type	Class	Kind	Land	Bldg	AgBd	Total
2017	<u>Assessment Roll</u>	Residential	Full	21,000	70,800	0	91,800
2015	<u>Assessment Roll</u>	Residential	Full	18,900	63,700	0	82,600
2013	<u>Assessment Roll</u>	Residential	Full	17,500	59,600	0	77,100

2011	Assessment Roll	Residential	Full	17,500	59,100	0	76,600
2009	Assessment Roll	Residential	Full	19,400	63,400	0	82,800
2007	Assessment Roll	Residential	Full	19,200	62,600	0	81,800
2005	Assessment Roll	Residential	Full	27,900	59,200	0	87,100
2003	Assessment Roll	Residential	Full	24,370	51,150	0	75,520
2001	Assessment Roll	Residential	Full	18,730	37,560	0	56,290
1999	Assessment Roll	Residential	Full	9,140	39,350	0	48,490
1997	Assessment Roll	Residential	Full	8,560	36,840	0	45,400
1995	Assessment Roll	Residential	Full	7,570	32,560	0	40,130
1993	Assessment Roll	Residential	Full	6,550	28,170	0	34,720
1990	Assessment Roll	Residential	Full	6,550	24,450	0	31,000

[email this page](#)

Room 195, 111 Court Avenue, Des Moines, IA 50309
 Phone 515 286-3140 / Fax 515 286-3386
polkweb@assess.co.polk.ia.us



**PUBLIC NUISANCE
NOTICE OF INSPECTION
NEIGHBORHOOD INSPECTION DIVISION
COMMUNITY DEVELOPMENT DEPARTMENT
CITY OF DES MOINES, IOWA**

DATE OF NOTICE: February 22, 2019

DATE OF INSPECTION: January 03, 2019

CASE NUMBER: COD2019-00025

PROPERTY ADDRESS: 3217 3RD ST

LEGAL DESCRIPTION: S 40 F LOT 329 & ALL LOT 330 MANNS 2ND ADD TO LAKE PARK

ROBERT L SMITH
Title Holder
DECEASED

WELLS FARGO BANK NA
Mortgage Holder
CORPORATION SERV CO., R.A.
505 5TH AVE SUITE 729
DES MOINES IA 50309

An inspection of the referenced property was conducted for its conformance to the Municipal Code of the City of Des Moines. It has been determined from that inspection that the dwelling currently constitutes not only a menace to health and safety, but is also a public nuisance. Accordingly, the dwelling will be placarded as unfit for human habitation pursuant to the Municipal Code of the City of Des Moines and the Code of Iowa.

If not occupied at the present time, the dwelling is to remain vacant and unoccupied until occupancy is authorized by this office. If the dwelling is occupied, it must be vacated immediately. If procedures to vacate the premises are not undertaken immediately upon receipt of this notice, and in no case later than seven (7) days, the City will issue a Municipal Infraction in accordance with Section 60-192 and 60-191 pursuant to the Municipal code of the City of Des Moines. Additionally, if the property had a Certificate of Inspection, it is hereby revoked.

Attached is a listing of the violations existing on the date of the inspection and a recommendation as to the remedial action required to correct such violations. The violations noted must be corrected within 30 days from date of notice. Failure to correct these violations will result in a request to the City Council to approve legal action. As a result of this public nuisance action there will be costs incurred by the City. Costs will be billed out when the nuisance has been abated. Failure to pay the costs will result in collection by assessment to the property or personal judgment.

ALL ELECTRICAL, MECHANICAL, PLUMBING, AND STRUCTURAL COMPONENTS IN NEED OF REPLACEMENT OR REPAIR, ARE TO BE BROUGHT TO MINIMUM CODE REQUIREMENTS WITH NECESSARY PERMITS AS REQUIRED TO MEET CITY CODES.

Appropriate building permits may be required for those violations noted in the "Special Requirements" section on the notice. Should you have questions regarding permits, contact the Permit and Development Center at (515) 283-4200. All work performed by a contractor or you must be completed in a workmanlike manner. If you plan to renovate the structure and it has been vacant for a period in excess of one year, there may be zoning issues, which will affect the proposed use of the structure and/or real estate. Please contact the Development Zoning Division at (515) 283-4207 to determine what the legal use for the structure and/or the real estate is prior to commencement of any renovation.

If you believe the building is beyond repair and decide to remove it, all debris must be removed from the property and the basement excavation if any, filled in the manner required by the City. You are encouraged to arrange for this demolition yourself; however a demolition permit must be obtained from the Building Department. In the event you are unable to arrange for demolition, you may sign a waiver voluntarily authorizing the City to do so. However, the City may take a personal judgment against you for the costs of removal.

If you no longer own the property, notify us in writing of the name, address, and telephone number of the new owner. A copy of the real estate contract or deed, if it has not been recorded at the County Recorder's Office, shall likewise be furnished to the Neighborhood Inspection Division.

Should you have any questions, feel free to call. I can usually be reached between 8:00am and 9:00am, Monday through Friday.


Mike F Lehman

(515) 283-4299

Nid Inspector

DATE MAILED: 2/22/2019

MAILED BY: JDH

Areas that need attention: 3217 3RD ST

<u>Component:</u> Accessory Buildings <u>Requirement:</u> Building Permit <u>Comments:</u>	<u>Defect:</u> Structurally Unsound <u>Location:</u> Garage
<u>Component:</u> Roof <u>Requirement:</u> Building Permit <u>Comments:</u>	<u>Defect:</u> In disrepair <u>Location:</u> Garage
<u>Component:</u> Trusses <u>Requirement:</u> Building Permit <u>Comments:</u>	<u>Defect:</u> In disrepair <u>Location:</u> Garage
<u>Component:</u> Exterior Walls <u>Requirement:</u> Building Permit <u>Comments:</u>	<u>Defect:</u> In disrepair <u>Location:</u> Garage
<u>Component:</u> Exterior Doors/Jams <u>Requirement:</u> Building Permit <u>Comments:</u>	<u>Defect:</u> Missing <u>Location:</u> Garage

top

3217 3rd St

04/15/2019 10:46



top

3217 3rd St



04/15/2019 10:46